

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY - SOCIAL SERVICES

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 5, Department of Economic Security - Social Services
Article and its heading: 49, Child Care Assistance
Section number: R6-5-4901 through R6-5-4922, and Appendix A
2. **The subject matter of the proposed rule:**
These rules govern eligibility for child care assistance and clarify the requirements of the child care program described in A.R.S. §§ 46-801 through 46-810. This Article governs child care assistance for the following categories of individuals: persons attempting to become self sufficient and end receipt of cash assistance; low income persons who need child care assistance to maintain employment and avoid receipt of cash assistance; teen parents who need child care assistance to attain a high school diploma or G.E.D. certificate; persons who cannot care for their own children due to a physical, mental, or emotional disability; residents of homeless or domestic violence shelters; and persons who are referred for child care through Child Protective Services.

The rules in this Article describe eligibility categories; how to access child care assistance, eligibility criteria for each category of eligible persons; the amount of assistance the Department can provide for an eligible activity or need; provisions for calculation of income and income eligibility requirements; allowable child care providers for DES child care assistance; appeals for adverse action; and all other child care assistance program requirements.

The Department previously filed these rules as exempt rules, and intends to make some modifications with respect to treatment of minor parent income, and in defining allowable employment preparation activities for Child Care Assistance; the rules which will be submitted in 1998 will therefore not be identical to the exempt rules.
3. **A citation to all published notices relating to the proceeding:**
Notice of Exempt Rulemaking: 3 A.A.R. 2246, August 22, 1997
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Vista Thompson Brown

Address: Department of Economic Security
1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007
or
P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted until the close of record, which has not yet been scheduled, at the address listed in question #4. The Department has not yet scheduled oral proceedings, but will do so at the time of filing the Notice of Proposed rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Department expects to file a proposed rulemaking package by April 1998 and conduct oral proceeding in June 1998.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY - ARIZONA WORKS PROGRAM

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 15, Department of Economic Security - The Arizona Works Program
Article and its heading: Article 1, General Provisions
Article 2, Application Process

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Article 3, Non-Financial Eligibility Criteria
Article 4, Financial Eligibility; Resources
Article 5, Financial Eligibility; Income
Article 6, Work Participation; Employment Levels
Article 7, Eligibility and Payments
Article 8, Changes; Adverse Action
Article 9, Appeals
Article 10, Overpayments
Article 11, Intentional Program Violations
Article 12, Subsidized Employment Program
R6-15-101 through R6-15-110, R6-15-201 through R6-15-208, R6-15-301 through R6-15-313,
R6-15-401 through R6-15-404, R6-15-501 through R6-15-506, R6-15-601 through R6-15-611,
R6-15-701 through R6-15-706, R6-15-801 through R6-15-805, R6-15-901 through R6-15-908,
R6-15-1001 through R6-15-1004, R6-15-1101 through R6-15-1106, and R6-15-1201 through
R6-15-1203.

Section numbers:

2. The subject matter of the proposed rule:

In 1997, the Arizona Legislature passed a comprehensive Welfare Reform Bill Laws 1997, Ch. 300 (SB 1357) to describe how Arizona would implement the federal program entitled "Temporary Assistance for Needy Families," formerly known as "Aid to Families With Dependent Children" (AFDC). SB 1357 includes sections establishing a pilot program known as the Arizona Works Program. Under the Arizona Works Program, a private vendor will provide cash assistance, employment and training services, and child care for eligible recipients. Contingent on federal waiver approval, the vendor will also perform eligibility determinations for Food Stamps and AHCCCS health care benefits. Arizona is awaiting federal action on pending waiver applications for the Arizona Works Program.

The bill requires the Department of Economic Security to adopt rules for implementation of the Arizona Works Program (SB 1357, Section 73). Accordingly, the Department will adopt a comprehensive set of rules to implement all aspects of the Arizona Works Program, including the following subject areas: Definitions and General Provisions; Financial and Non-Financial Eligibility Criteria; Work Participation Requirements and Services; Payment Procedures; Sanctions; Procedures for Taking and Challenging Adverse Action; Rights and Procedures for Appeals and Fair Hearings; Overpayment Procedures; Intentional Program Violations; a Subsidized Employment Program; and Procedures for Child Care Eligibility and AHCCCS Eligibility.

3. A citation to all published notices relating to the proceeding:

None.

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Vista Thompson Brown
Address: Department of Economic Security
1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007
or
P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

A person may submit written comments from the present until the close of record, which has not yet been scheduled, to the person named in question #4. The Department will schedule oral proceedings at the time of filing the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

The bill established an Arizona Works Procurement Board to implement and oversee the Arizona Works Program. The Procurement Board recently referred certain questions about the Arizona Works Program back to the Arizona State Legislature, for clarification during the 1998 legislative session.

The Department expects to file a proposed rulemaking package after the Legislature clarifies these issues and federal authorities make a determination on the pending waiver applications. The Department could file proposed rules as early as January of 1998, or as later during the legislative session. The Department will conduct public hearings on the proposed rules approximately 1 month after publication of the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES - EMERGENCY MEDICAL SERVICES

1. Title and its heading: 9, Health Services
Chapter and its heading: 25, Emergency Medical Services
Article and its heading: 7, Emergency Medical Technicians Examinations
Section numbers: R9-25-701
R9-25-702
R9-25-703
R9-25-704
R9-25-705
R9-25-706
R9-25-707
R9-25-708
R9-25-709
Exhibit T
2. The subject matter of the proposed rule:
Complete Basic, Intermediate and Paramedic training and prompt testing for certification are critical to the maintenance of Arizona's EMS system. The need for currently certified personnel, particularly advanced level personnel, is especially critical in rural areas where resources are limited. As a result of the Bureau of EMS's (BEMS) reduced financial and personnel resources, ADHS and the EMS community worked together to develop statutory language that would permit ADHS to "outsource" testing for EMS certification in a fashion that would not compromise the integrity, security and validity of the testing process.

Adoption of the rule package will permit department approved organizations to provide training and testing in additional locations throughout the state that will be closer to the applicants' locations or the location of their EMS providers. The rules establish clear criteria for the new components of the testing process.
3. A citation to all published notices relating to the proceeding:
Not applicable.
4. The name and address of agency personnel with whom persons may communicate regarding the rule:
Name: William J. Singer
Address: Emergency Medical Services
1651 East Morten Avenue, Suite 120
Phoenix, Arizona 85020
Telephone: (602) 255-1170
Fax: (602) 255-1134
5. The time during which the agency will accept written comments and the time and place where oral comments may be made:
Written comments will be accepted from now through March 2, 1998. Comments should be addressed to William J. Singer at the address listed in question #4. Oral comments will be heard at the following location and times:
Date: March 2, 1998
Time: 9 a.m. and 1 p.m.
Location: Bureau of Emergency Medical Services Conference Room
1651 East Morten Avenue, Suite 120
Phoenix, AZ 85020
6. A timetable for agency decisions or other action on the proceeding, if known:
Unknown at this time.